

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**AMERICAN GUARANTEE AND  
LIABILITY INSURANCE COMPANY, and  
COLUMBIA CASUALTY COMPANY,**

**Plaintiffs,**

**vs.**

**DIAL EQUITIES, INC., KEY  
ASSOCIATES LLC, and GRAND POINTE  
- NE LIMITED PARTNERSHIP,**

**Defendants.**

**CASE NO. 8:10CV424**

**ORDER**

This matter is before the Court on the Stipulation of Dismissal of Claims Against and By Defendants and Motion to Dismiss Defendants (Filing No. 103) filed by Plaintiff American Guarantee and Liability Insurance Company (“American Guarantee”), Plaintiff Columbia Casualty Company (“Columbia Casualty”), and Defendants Dial Equities, Inc., Key Associates LLC, and Grand Pointe – NE Limited Partnership (collectively, “Defendants”). Having considered the stipulation and motion,

**IT IS ORDERED:**

1. The Stipulation of Dismissal of Claims Against and By Defendants and Motion to Dismiss Defendants (Filing No. 103) is approved;
2. American Guarantee’s claims against Defendants in American Guarantee’s Amended Complaint (Filing No. 74 at pp. 1-8) are dismissed with prejudice<sup>1</sup>;

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<sup>1</sup> American Guarantee has asserted a cross-claim against Columbia Casualty (Filing No. 74 at pp. 8-16), which is not addressed by the present stipulation and motion.

3. Defendants' claims against Columbia Casualty in Defendants' Amended Third-Party Complaint (Filing No. 60) are dismissed with prejudice;

4. Columbia Casualty's claims against Defendants in Columbia Casualty's Amended Answer and Counterclaim (Filing No. 62 at pp. 4-9) are dismissed with prejudice; and

5. Each party shall pay its own costs.

Dated this 30<sup>th</sup> day of July, 2013.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge